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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 002427

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TAGS: [PGOV](#) [PINR](#) [KDEM](#) [KJUS](#) [TH](#)  
SUBJECT: FORMER PM THAKSIN FLEES TO ENGLAND

REF: A. BANGKOK 2327 (POTJAMAN CONVICTED)  
[1](#)B. BANGKOK 2242 (THAKSIN PREDICTS LIFE ABROAD)  
[1](#)C. BANGKOK 2092 (LEGAL TEAM PESSIMISTIC)  
[1](#)D. BANGKOK 2091 (RULINGS CLOUD FUTURE)

BANGKOK 00002427 001.2 OF 002

Classified By: Ambassador Eric G. John, reason: 1.4 (b) and (d).

SUMMARY AND COMMENT

[1](#)1. (C) Former Prime Minister Thaksin Shinawatra announced on August 11 that he had traveled to the U.K. in order to avoid victimization by unfair legal proceedings in Thailand. Thaksin's move will stave off further trials on various charges, although an ongoing prosecution will continue. It remains unclear whether Thaksin will try to exert significant political influence from abroad, as he had done previously in the wake of the 2006 coup. Thaksin's departure will likely make it necessary for Prime Minister Samak Sundaravej to establish decisively his leadership, if he is to hold his party and his administration together in the face of legal and political challenges.

[1](#)2. (C) Comment: Thaksin's fleeing abroad sends a resounding signal of defeat, despite his proxies' victory in the 2007 legislative election. Unable to secure his own freedom in the face of a flurry of court rulings against his interests, Thaksin may well question whether it is worth expending significant effort to influence developments in Thai politics that are less critical to him. He may instead bide his time and await an eventual shift to a more favorable environment. Given Thaksin's flight from prosecution, any eventual rehabilitation would likely take years rather than months. Chances for possible extradition from the U.K. appear slim, given past experience with high profile cases, such as disgraced financier Pin Chakkaphak. End Summary and Comment.

THAKSIN FLEES, ALLEGING POLITICIZED JUDICIARY

[1](#)3. (U) On August 11, former Prime Minister Thaksin Shinawatra faxed a handwritten statement to the Thai media from London, explaining that he and his wife, Potjaman, had traveled to England rather than returning from China to Thailand to attend their ongoing trial for abuse of power (ref C).

Thaksin alleged that the Thai judiciary was treating him unfairly, complained that Thailand remained under the influence of the "dictatorship" that took power after the 2006 coup d'etat, and cited threats to his physical safety. He also professed loyalty to the royal family.

¶4. (C) In response, the Supreme Court issued arrest warrants for Thaksin and his wife and declared their previously posted bail forfeit. Pundits publicly speculated about the likelihood that Thaksin would request asylum in England, and the Office of the Attorney General began to prepare a request for Thaksin's extradition, according to local press reports. (A U.K. diplomat in Bangkok told us that Thaksin entered on a visitor's visa and has not yet requested asylum.) The People's Alliance for Democracy (PAD) -- the organization which has led most of the anti-Thaksin protests in recent years -- announced it would continue its efforts to block Samak Sundaravej's administration from carrying out constitutional reforms.

#### IMPLICATIONS FOR THAKSIN AND THE GOVERNMENT

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¶5. (C) The recent tax evasion conviction of Potjaman (ref A) reinforced a widespread perception among the Thai political class that the courts, with encouragement from the palace, were determined to marginalize Thaksin, and that he would likely be convicted in his ongoing abuse of power trial. (Comment: We have not sought to assess the merits of these cases, and we are do not mean to second Thaksin's assertion that the courts are biased; however, many Thais might assume that Thaksin and his lawyers have sought to influence the judges and that it would take special determination to rule against the Shinawatras, even if the evidence supports

BANGKOK 00002427 002.2 OF 002

conviction. End Comment.) Thaksin had previously refused to return to Thailand during the post-coup Surayud administration, claiming at that time that it was impossible for him to receive a fair trial prior to the restoration of a democratically-elected government. His refusal to submit to the courts' judgment under current conditions may strike some Thais as suspect, although there may be few who do not already hold strong views, pro or con, about the polarizing former Prime Minister.

¶6. (C) Thaksin's decision to remain abroad may make it easier for the government to seize his approximately two billion USD in frozen assets, according to local press reports. But because Thai law does not allow defendants to be tried in absentia, he should be able to avoid prosecution in other pending cases (e.g., for establishing an illegal lottery, for arranging improper loans to Burma, and for irregularities in the government procurement of rubber saplings). Because Thaksin was present at the beginning of his abuse of power/land purchase trial, however, that case should continue to its conclusion.

¶7. (C) It remains unclear whether Thaksin will try to exert significant political influence from abroad, as he did during the interim administration. We do not rule out the possibility he will try to follow the rough outline of a plan he sketched out recently for the Ambassador (ref B) -- Thaksin may believe that, if he remains abroad and distances himself from politics, he increases the likelihood of an eventual amnesty or pardon following his likely conviction. A People's Power Party (PPP) legislator, Pracha Prasopdee, has already publicly floated the idea of an amnesty for Thaksin; we do not believe Pracha's initiative is timely, however. Another part of Thaksin's plan -- a national unity government including the opposition Democrats -- did not come to fruition in the recent Cabinet reshuffle.

¶8. (C) Thaksin's absence might allow Prime Minister Samak to further his claim to be Thailand's leading figure in formal political processes. Samak currently faces serious

challenges, however, including a potential court case that could result in his party's dissolution (ref D) and a recent schism that erupted when members of one faction of PPP denounced what they termed the "Gang of Four" -- Samak, Deputy Prime Minister Surapong Suebwonglee, Theerapol Noprampa (Secretary General to the Prime Minister) and close Thaksin associate Newin Chidchob -- for allegedly dominating PPP and profiting from their political positions. If Samak proves unable to provide sufficient leadership or resources to maintain his party's cohesion and fend off legal challenges, Thaksin's move overseas might accelerate the collapse of Samak's administration rather than giving Samak an extended lease on political life.

JOHN